

**ZVRS**

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REDACTED - FOR PUBLIC INSPECTION

February 15, 2017

**VIA HAND DELIVERY AND ELECTRONIC FILING**

Karen Peltz Strauss  
Eliot Greenwald  
Bob Aldrich  
Michael Scott  
Federal Communications Commission  
445 12th Street SW  
Washington, D.C. 20554

**RE: REQUEST FOR HIGHLY CONFIDENTIAL TREATMENT  
CSDVRS, LLC Response to Staff Request for Cost Data in Support of Non-Dominant VRS Provider Rate Proposal  
CG Docket Nos. 10-51, 03-123**

Dear Ms. Peltz Strauss and Messrs. Greenwald, Aldrich, and Scott:

Pursuant to the *First Protective Order* and *Second Protective Order* in the above-captioned dockets, and the rules of the Federal Communications Commission ("Commission"), CSDVRS, LLC d/b/a ZVRS ("ZVRS") hereby requests Confidential and Highly Confidential treatment of certain information contained in the enclosed letter and attachment.<sup>1</sup> ZVRS is also submitting a redacted version of this letter pursuant to the *First* and *Second Protective Orders*.<sup>2</sup>

ZVRS requests that all information contained between the headings **\*\*\*BEGIN CONFIDENTIAL INFORMATION\*\*\*** and **\*\*\*END CONFIDENTIAL INFORMATION\*\*\*** be treated as Confidential Information under the *First Protective Order*. The information between these headings is properly designated as Confidential Information under the *First Protective Order*, as it is information that is not otherwise available from publicly available sources and that is subject to protection under the Freedom of Information Act and the Commission's implementing rules.<sup>3</sup> ZVRS further requests that all information contained between the headings **\*\*\*BEGIN HIGHLY CONFIDENTIAL INFORMATION\*\*\*** and **\*\*\*END HIGHLY CONFIDENTIAL INFORMATION\*\*\*** be treated as Highly Confidential Information under the *Second Protective Order*.<sup>4</sup> The information contained between those headings is properly designated as Highly Confidential Information as it falls within the categories listed in Appendix A of the *Second*

<sup>1</sup> See *Structure and Practices of the Video Relay Service Program et al.*, Protective Order, CG Docket Nos. 10-51, 03-123, DA 12-402 (CGB 2012) ("First Protective Order"); *Structure and Practices of the Video Relay Service Program et al.*, Second Protective Order, CG Docket Nos. 10-51, 03-123, DA 12-858 (CGB 2012) ("Second Protective Order"); see also 47 C.F.R. §§ 0.457, 0.459.

<sup>2</sup> *Second Protective Order* at ¶ 12.

<sup>3</sup> *First Protective Order* at ¶ 2.

<sup>4</sup> *Second Protective Order* at ¶ 2.

*Protective Order*, is proprietary commercial and business information that is not customarily disclosed to the public or within the industry, and is subject to Exemption 4 under the Freedom of Information Act (FOIA).<sup>5</sup>

As this information is submitted voluntarily and absent any requirement by statute, regulation, or the Commission, ZVRS requests that, in the event that the Commission denies ZVRS' request for Confidential and/or Highly Confidential treatment, the Commission return the materials without consideration of the contents therein.<sup>6</sup>

**(1) Identification of the specific information for which confidential treatment is sought.**

ZVRS hereby seeks Confidential treatment for all of the information in the enclosed letter and attachment that is contained between the headings **\*\*\*BEGIN HIGHLY CONFIDENTIAL INFORMATION\*\*\*** and **\*\*\*END HIGHLY CONFIDENTIAL INFORMATION\*\*\***, and Highly Confidential treatment for all of the information contained between the headings **\*\*\*BEGIN HIGHLY CONFIDENTIAL INFORMATION\*\*\***.

**(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission.**

The information is being provided to the Commission in response to Commission staff's request for Video Relay Service ("VRS") provider cost data.

**(3) Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.**

The information in the enclosed letter and attachment is highly sensitive commercial information specific to the finances, operations, and strategies of ZVRS, including granular cost and customer usage data. This information is generally safeguarded from competitors and is not made available to the public.

**(4) Explanation of the degree to which the information contains a service that is subject to competition.**

The information concerns costs incurred in the provision of VRS, a nationwide competitive service.

**(5) Explanation of how disclosure could result in substantial competitive harm.**

Disclosure of the Confidential and Highly Confidential Information could cause substantial competitive harm to ZVRS, because it would provide competitors insight into highly confidential financial, operational and strategy information that would not otherwise be available, which would work to ZVRS' severe competitive disadvantage.

<sup>5</sup> *Second Protective Order* at Appendix A; 5 U.S.C. § 552(b)(4).

<sup>6</sup> See 47 C.F.R. § 0.459(e).

**(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure.**

ZVRS routinely treats the redacted information as highly confidential and exercises significant care to ensure that such information is not disclosed to its competitors or the public.

**(7) Identification of whether information is available to the public and the extent of any previous disclosure of the information to third parties.**

ZVRS does not make the redacted information available to the public, and this information has not been previously disclosed to third parties, except where required by the Commission and the TRS Fund Administrator, each of whom protect the confidentiality of such submissions.

**(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure.**

ZVRS requests that the Confidential and Highly Confidential Information be treated as being confidential on an indefinite basis as it cannot identify a date certain on which this information could be disclosed without causing competitive harm to ZVRS.

Should you have any questions concerning this request, please contact the undersigned.

Respectfully submitted,

/s/ Gregory Hlibok

Gregory Hlibok  
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Enclosures

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